

Chapter 19.590***Performance Standards***

19.590.010 Purpose

- A. This Chapter describes certain characteristics associated with the design and operation of development that have the potential to create negative impacts on surrounding uses. Provisions herein identify the potential nuisance, establish thresholds for compliance, and explain the intent of development and operational standards to reduce potential impacts.
- B. Performance standards are provided to:
 - 1. Establish standards by which potential development related nuisances can be assessed, measured, and otherwise dealt with factually and objectively.
 - 2. Ensure that all such nuisances are controlled in the design and engineering phases of new development projects.
 - 3. Provide a framework by which potential impacts can be assessed and appropriate conditions applied in granting special use and conditional use permits.

19.590.020 Applicability

- A. These performance standards shall apply to all uses in all zones, except for legal nonconforming uses, as determined by the Zoning Administrator.
- B. Compliance may be waived by the City Council if a building condition created under prior ordinances physically precludes the reasonable application of the standards. Additional categorical exceptions from compliance with the performance standards are as follows:
 - 1. Temporary activities, such as festivals and other special events with approved temporary use permits or other required permits, where such activities otherwise comply with other applicable provisions of the Zoning Code.
 - 2. Emergency activities subject to approval of an appropriate City Authority.
 - 3. Construction activities, where such activity is temporary in nature and explicitly regulated by other Sections of the Municipal Code.

19.590.030 Hazardous and Toxic Materials

- A. The intent of this Section is to protect local health, safety and general welfare by ensuring that the design and operational characteristics of a property or use does not adversely impact neighboring property owners, neighboring property users or the general public through the accidental or intentional release or use of hazardous materials.

- B. The use, handling, storage and transportation of hazardous and extremely hazardous materials shall comply with the provisions of the California Hazardous Materials Regulations (California Administrative Code, Title 22, Division 4). The U.S. Environmental Protection Agency (EPA) and the California Department of Health Services (DHS) identify hazardous materials and prescribe handling, use and disposal practices. The use, storage, manufacture and disposal of hazardous materials shall be regulated and monitored according to the standards established by these agencies and any delegated government agencies.
- C. The use, handling, storage, and transportation of combustibles and explosives shall comply with the provisions of the Uniform Fire Code. No gasoline or other inflammables or explosives shall be stored unless the location, plans, and construction conform to the laws and regulations of the State of California and have the approval of the City of Riverside.
- D. Toxic gases or matter shall not be emitted that can cause any damage to health, to animals or vegetation, or other forms of property, or that can cause any excessive soiling beyond the lot lines of the use.

19.590.050 Radioactivity

No use shall be permitted that emits radioactivity in dangerous amounts. The use, handling, storage, and transportation of radioactive materials shall comply with the provisions of the California Radiation Control Regulations (California Administrative Code, Title 17).

19.590.060 Electric and Electromagnetic Disturbances and Hazards

No use shall be permitted where electric or electromagnetic interference results and adversely affects the operation of any equipment other than that belonging to the creator of such interference, or that does not conform to the regulations of the Federal Communications Commission.

19.590.070 Light and Glare

- A. Lighting for safety purposes shall be provided at entryways, along walkways, between buildings, and within parking areas.
- B. Except for stadium and playing field lighting, lighting support structures shall not exceed the maximum permitted building height of the zone where such lights are located. Furthermore, the height of any lighting shall be the minimum required to accomplish the purpose of the light. Freestanding pole lights shall not exceed a maximum height of fourteen feet within 50 feet of a residentially zoned property or residential use.
- C. The candle-power of all lights shall be the minimum required to accomplish the purpose of the light.
- D. Flickering, flashing or strobe lights shall not be permitted. All lights shall be constant and shall not change intensity or color more often than once every 30 minutes.

- E. Aircraft search lights normally used to draw attention to a business from off-site are prohibited.
- F. Lighting where required for parking lots shall be provided at a level no less than one foot candle throughout the lot and access areas, and such lighting shall be certified as to its coverage, intensity and adherence to Section 19.590.070 (Light and Glare) and Chapter 19.556 (Lighting) by a qualified lighting engineer.
- G. All lights shall be directed, oriented, and shielded to prevent light from shining onto adjacent properties, onto public rights-of-way, and into driveway areas in a manner that would obstruct drivers' vision.
- H. Lighting for advertising signs shall not cause light or glare on surrounding properties.
- I. Lighting shall not be directed skyward or in a manner that interferes with the safe operation of aircraft.

19.590.080 Odor

- A. This Section establishes regulations intended to prevent the exposure of persons to offensive odors. Odors from gases or other odorous matter shall not be of such intensity beyond the lot line of the use so as to be offensive to a reasonable person of normal sensitivity.
- B. Any process that creates or emits any odors, dust, smoke, gases, or other odorous matter shall comply with applicable standards set by the South Coast Air Quality Management District (SCAQMD).

19.590.090 Noise

- A. These regulations aim to prohibit unnecessary, excessive and annoying noises from all sources, as certain noise levels are detrimental to the health and welfare of individuals. The standards apply to all land uses in all zones unless otherwise specified in the Zoning Code or other applicable law. In addition to the requirements of this Chapter, any use or activity within the City shall comply with the noise regulations of Title 7 (Noise Control) of the Riverside Municipal Code.
- B. No person shall create nor allow the creation of noise that causes the noise level when measured on any property to exceed the noise standards set forth in Title 7 (Noise Control) of the Riverside Municipal Code.
- C. Utilization of compressors or other equipment, including but not limited to vents, ducts, and conduits, but excluding window or wall-mounted air-conditioners, that are located outside of the exterior walls of any building, shall be enclosed within a permanent, noncombustible, view-obscuring enclosure to ensure that the equipment will not emit noise in excess of the American National Standards Institute specifications for sound level meter ANSI S1.4-1971 or the latest approved revision thereof.

19.590.100 Heat

Heat from any source shall not be produced beyond the lot lines of the use so as to be offensive to a reasonable person of normal sensitivity.

Chapter 19.620

General Sign Provisions

~~Refer to Title 19.76 of the existing Municipal Code. The Sign Code is currently being revised in its entirety separate of this Zoning Code update, and will be inserted into this updated document following separate adoption by the City Council.~~

19.620.010 Authority

This Chapter is adopted pursuant to the authority vested in the City of Riverside and the State of California, including but not limited to: the State Constitution, California Government Code Sections 38774 and 65850, California Business and Professions Code Section 5230 and California Civil Code Section 713.

19.620.020 Purpose and Regulatory Scope

The purposes of this Chapter includes serving the public health safety and welfare by advancing the goals, policies and strategies of the General Plan, protecting, preserving and enhancing the aesthetic, traffic safety and environmental values of the City's residential communities and growing commercial/industrial districts, while at the same time providing efficient means for members of the public to express themselves by displaying a sign.

This Chapter regulates signs, as defined herein, that are located or mounted on private property within the corporate limits of the City of Riverside, as well as signs located or mounted on public property that is owned or controlled by public entities other than the City of Riverside, and over which the City has land use or zoning authority. However, property owned by public entities other than the City, in which the City holds the present right of possession, or for which management rights have been delegated to the City, are not within the scope of this Chapter. Policies for private party signs on City-owned property, on the public right of way, and publicly owned properties in which the City holds the present right of possession or for which management rights have been delegated to the City, are stated in Chapter 19.625 (Private Party Signs on City-Owned Property and the Public Right-of-Way).

19.620.030 Findings

In adopting this Chapter, the City Council finds that excessive and inappropriate signage has an adverse impact on the overall visual appearance of a City, and can increase risks to traffic and pedestrians. Proper sign control safeguards and preserves the health, property and public welfare of Riverside residents through prohibiting, regulating and controlling the design, location and maintenance of signs.

19.620.040 Intent

By adopting this Chapter the City intends to regulate signs on the basis of location, relationship to land uses, illumination, motion, size, height, orientation, separation, safety of physical structures, and the public need for functional information. It is the intent of this Chapter to minimize visual

clutter, and enhance traffic safety by ensuring that signage does not distract, obstruct or otherwise impede traffic circulation. Proper sign control also safeguards and preserves the health, property and public welfare by prohibiting, regulating and controlling the structural design, location and maintenance of signs.

19.620.050 Basic Policies

The policies and principles stated in this Section apply to all signs within the regulatory scope of this Chapter, and to all procedures set forth in, or invoked by, this Chapter. These policies are to prevail over any other provision to the contrary, even if more specific.

- A. Enforcement Authority. The Zoning Administrator is authorized and directed to enforce and administrate the provisions of this Chapter.
- B. Permit Requirement. Unless expressly exempted by a provision of this Chapter, or by other applicable law, signs within the regulatory scope of this Chapter may be displayed only pursuant to a permit issued by the City.
- C. Message Neutrality. It is the City's policy to regulate signs in a constitutional manner, that is content neutral as to noncommercial signs and viewpoint neutral as to commercial signs.
- D. Regulatory Interpretations. All regulatory interpretations of this Chapter are to be exercised in light of the City's message neutrality policy. Where a particular type of sign is proposed in a permit application, and the type is neither expressly allowed nor prohibited by this Chapter, or whenever a sign does not qualify as a "structure" as defined in the Building Code, then the Zoning Administrator shall approve, conditionally approve or disapprove the application based on the most similar sign type that is expressly regulated by this Chapter.
- E. Substitution of Messages. Subject to the property owner's consent, a noncommercial message of any type may be substituted for any duly permitted or allowed commercial message or any duly permitted or allowed noncommercial message, provided that the sign structure or mounting device is legal without consideration of message content. Such substitution of message may be made without any additional approval or permitting. This provision prevails over any more specific provision to the contrary within this Chapter. The purpose of this provision is to prevent any inadvertent favoring of commercial speech over noncommercial speech, or favoring of any particular noncommercial message over any other noncommercial message. This provision does not create a right to increase the total amount of signage on a parcel, lot or land use; does not affect the requirement that a sign structure or mounting device be properly permitted; does not allow a change in the physical structure of a sign or its mounting device; does not allow the substitution of an off-site commercial message in place of an on-site commercial message; and does not allow one particular on-site commercial message to be substituted for another without a permit.
- F. Rules for Non-communicative Aspects of Signs. All rules and regulations concerning the non-communicative aspects of signs, such as location, size, height, illumination, spacing, orientation, etc., stand enforceable independently of any permit or approval process.

- G. Situs of Non-commercial Message Signs. The onsite/offsite distinction applies only to commercial messages on signs.
- H. Mixed Use Zones. In any zone where both residential and non residential uses are allowed, the sign-related rights and responsibilities applicable to any particular use shall be determined as follows: residential uses shall be treated as if they were located where that type of use would be allowed as a matter of right, and nonresidential uses shall be treated as if they were located in a zone where that particular use would be allowed, either as a matter of right or subject to a conditional use permit or similar discretionary process.
- I. Property Owner's Consent. No sign may be displayed without the consent of the legal owner(s) of the property on which the sign is mounted or displayed. For purposes of this policy, "owner" means the holder of the legal title to the property and all parties and persons holding a present right to possession, control or use of the property.
- J. Legal Nature of Signage Rights and Duties. As to all signs attached to property, real or personal, the signage rights, duties and obligations arising from this Chapter attach to and travel with the land or other property on which a sign is mounted or displayed. This provision does not modify or affect the law of fixtures, sign-related provisions in private leases regarding signs (so long as they are not in conflict with this Chapter), or the ownership of sign structures.
- K. Sign Programs. Sign programs for specific developments, as well as special sign districts or special sign overlay zones, when approved by the Approving Authority, may modify the rules stated herein as to sign size, height, illumination, spacing, orientation or other non-communicative aspects of signs, but may not override or modify any of the Basic Policies stated in this Section. All the provisions of this Section shall automatically apply to and be deemed a part of any sign program approved after the date on which this provision is initially adopted.
- L. Variances. When a variance from the rules stated in this Chapter is sought, such variance may be permitted only upon the approval of the Approving Authority as designated in Table 19.650.020. In considering requests for such variances, the Approving Authority shall not consider the message of the sign display face, and may not approve a variance that would allow a permanent structure sign to be used for the display of off-site commercial messages. Except at otherwise provided for within this Chapter, any variances from the standards set forth in this Chapter shall be in accordance with Chapter 19.720 (Variance). In considering a variance, the City may not consider the graphic design or copy of the sign or display face.
- M. Billboards. The City completely prohibits the construction, erection or use of any billboards, other than those which legally exist in the City, or for which a valid permit has been issued and has not expired, as of the date on which this provision is first adopted. No permit shall be issued for any billboard which violates this policy, and the City will take immediate abatement action against any billboard constructed or maintained in violation of this policy. In adopting this provision, the City Council affirmatively declares that it would have adopted this billboard policy even if it were the only provision in this Chapter.

The City Council intends for this billboard policy to be severable and separately enforceable even if other provision(s) of this Chapter may be declared, by a court of competent jurisdiction, to be unconstitutional, invalid or unenforceable. This provision does not prohibit agreements to relocate presently existing, legal billboards.

- N. Severance. If any section, sentence, clause, phrase, word, portion or provision of this Chapter is held invalid or, unconstitutional, or unenforceable, by any court of competent jurisdiction, such holding shall not affect, impair, or invalidate any other section, sentence, clause, phrase, word, portion, or provision of this Chapter which can be given effect without the invalid portion. In adopting this Chapter, the City Council affirmatively declares that it would have approved and adopted the Chapter even without any portion which may be held invalid or unenforceable.

19.620.060 General Provisions

- A. Signs Must Comply With This Code. In all zones, only such signs as are specifically permitted in this Chapter may be placed, erected, maintained, displayed or used, and the placement, erection, maintenance, display or use of signs shall be subject to all restrictions, limitations and regulations contained in this Chapter. The placement, erection, maintenance, display or use of all other signs is prohibited.
- B. Review and Approval. In reviewing signs, the Planning staff, the Planning Commission and the Cultural Heritage Board may base their decisions upon the standards contained in this Chapter and Title 20, respectively, and upon adopted policies and guidelines of each respective board/commission.
- C. Lighted Versus Nonlighted Signs. Unless specifically restricted in this Chapter, signs may be illuminated or non-illuminated.
- D. Permissible Sign Locations.
1. **Building Signs.** All building signs must be located on and directly parallel to a building wall, canopy facia or mansard roof directly abutting the use or occupancy being identified and directly facing a parking lot, mall, street, driveway, alley or freeway.
 2. **Window Signs.** Except for signs painted directly on the exterior surface of the window, all window signs must be located on or adjacent to the inner surface of a window directly used by the use or occupancy being identified and be directly facing a parking lot, mall, street, driveway, alley or freeway.
 3. **Under Canopy Signs.** All under canopy signs shall be suspended from the underside of a pedestrian canopy directly adjacent to the business identified on the sign. Under canopy signs shall be oriented perpendicular to the adjacent wall of the business being identified and shall be attached with rigid supports of a type and in a manner acceptable to the Building and Safety Division. A minimum clearance of 7 feet shall be maintained between the grade level below the sign and the lowermost

portion of the sign except when the sign is projecting over a public right-of-way, in that case the minimum clearance shall be 8 feet.

4. **Pole and Monument Signs.** All pole and monument signs shall be located so as to be directed toward a parking lot, mall, street, driveway or alley. Such a sign shall be situated on the lot or parcel on which the use or occupancy identified is located, except in a commercial, office or industrial complex where such a sign may be located on any lot or parcel in the complex where the use or occupancy identified is located. Any freestanding sign that is oriented so as to be visible from an adjacent freeway is subject to the granting of a Minor Conditional Use Permit by the City Planning Commission.
5. **Sign Projection From a Building Face.** Except as allowed by an explicit provision of this Chapter, in all zones, building signs shall not project more than 12 inches from the face of the building on which they are placed, except in the case of signs placed on a mansard roof which may project such a distance from the face of the roof as necessary for the sign face to be perpendicular to the floor of the building.
6. **Projection of Permanent Signs over Public Rights-of-Way.** All signs that project over or into the public right-of-way must conform and are subject to an encroachment permit.
7. **Historic Area Perpendicular Signs.** For buildings registered in the National Historic Register; designated a State Historical landmark, a City of Riverside landmark or structure of merit; or located in a City of Riverside preservation district or neighborhood conservation area, and that contain a nonresidential use, when no canopy exists, a maximum 4 square foot, double-faced sign, oriented perpendicular to the building wall is permitted in lieu of an under canopy sign. Such perpendicular sign shall not project more than 30 inches from the face of the building wall on which it is placed, shall be attached with rigid supports in a manner acceptable to the Building and Safety Division and shall maintain a minimum clearance of 7 feet between the grade level below the sign and the lowermost portion of the sign, except when the sign is projecting over a public right-of-way, in that case the minimum clearance shall be 8 feet.
8. **Applicable to Riverside Municipal Airport.** Signs within Riverside Municipal Airport and which serve leases of the Riverside Municipal Airport shall be governed by the document "Riverside Municipal Airport Sign Criteria" as adopted by resolution of the City Council and shall not be restricted by this Chapter, other than requirements for permits, maintenance and safety. Exceptions are signs oriented so as to be primarily viewed from any public street other than Airport Drive.

19.620.070 Office, Commercial and Industrial Building Signs

Generally, each establishment located in a non-residential zone is allowed at least 1 building sign per building frontage oriented toward a parking lot, mall, street, driveway, alley or freeway, as well as 1 window sign per entrance and 1 under canopy sign per building frontage. Monument signs are

allowed based on site development and size criteria. Specific standards for each type of sign are stated in the relevant portions of this Chapter.

- A. **Building Signs.** For each use or occupancy, 1 building sign per building frontage oriented toward a parking lot, mall, street, driveway, alley or freeway, a maximum of 1 square foot of sign per lineal foot of frontage of the lease space or building occupied by the use, but not to exceed 200 square feet of total sign area. For each lease space or building with a minimum width of 80 feet, a maximum of 2 building signs shall be allowed on each building frontage oriented toward a parking lot, mall, street, driveway, alley or freeway. Total square footage of all signs on each building frontage shall not exceed 1 square foot of sign per lineal foot of building frontage, up to a maximum of 200 square feet combined area of all signs on a given frontage.
- B. **Window Signs.** For each use or occupancy, 1 window sign for each public entrance, not exceeding 9 square feet per sign, shall be permitted.
- C. **Under Canopy Signs.** For each use of occupancy, 1 under canopy sign, no exceeding 9 square feet, shall be permitted.
- D. **Signs Above the Third Floor.** Building signs shall not be allowed above the third floor, except that, in lieu of signs on the second and third floors, 1 sign may be placed as near the top of the building, but not projecting over the roof line, on each frontage, subject to: maximum area: 1 square foot of sign per frontage foot of building, up to 100 square feet per frontage for a building 2 to 4 stories high, up to 150 square feet for a building 5 to 6 stories high, up to 200 square feet for a building 7 to 10 stories high and up to 250 square feet for a building over 10 stories high.

19.620.080 Office, Commercial and Industrial Freestanding Signs

- A. Any freestanding sign that is oriented so as to be visible from an adjacent freeway is subject to the granting of a Minor Conditional Use Permit by the Planning Commission. Upon review, the Planning Commission (or the City Council on appeal) shall not consider the graphic design of the copy or display face.
- B. **For uses in Office and Commercial Zones not in an Office and Commercial Complex.** Generally for business identification, 1 on-premises monument sign, maximum 25 square feet in area and 6 feet in overall height, displaying one article of information.
- C. **Commercial Complexes in Commercial Zones.**
 - 1. **Sign Programs.** For all new office and commercial complexes, a sign program shall be prepared for Planning Division staff approval prior to issuance of any sign permits. New sign programs for existing commercial complexes may also be required at times of renovation.
 - 2. **Sign Placement.** Where signs are placed on both major and secondary street frontages, each such sign shall be placed as near to the middle of the street frontage

as practical or at a major driveway entrance to the commercial complex from the street frontage.

3. **One on-premises monument or pole sign for each commercial complex as follows:**

- a. For commercial complexes of less than 2 acres (net site area), 1 maximum 30 square foot, 6 foot high on-premises monument sign, displaying a maximum of 2 articles of information.
- b. For commercial complexes of at least 2 acres, but less than 6 acres (net site area), 1 maximum 40 square foot, 8 foot high on-premises monument sign, displaying a maximum of 2 articles of information.
- c. For commercial complexes of at least 6 acres, but less than 10 acres (net site area):
 - (1) Major Street Frontage: 1 maximum 50 square foot, 8 foot high on-premises monument sign, displaying a maximum of 2 articles of information.
 - (2) Secondary Street Frontage: For each secondary street frontage with at least 300 feet of length, 1 maximum 25 square foot, 6 foot high on premises monument sign, displaying 1 article of information.
- d. For commercial complexes of 10 acres or more (net site area):
 - (1) Major Street Frontage: 1 maximum 100 square foot, 25 foot high on-premises pole sign, displaying a maximum of 3 articles of information.
 - (2) Secondary Street Frontage: For each secondary street frontage with at least 300 feet of length, 1 maximum 25 square foot, 6 foot high on-premises monument sign, displaying one article of information.

D. For Uses in the O Zone, not within an Office Complex. One on-premises monument sign, maximum 15 square feet in area and 6 feet in overall height, displaying 1 article of information.

E. For uses in the BMP, I, AI and AIR Zones not in an industrial complex: One maximum 50 square foot, 8 foot high on-premises monument sign, displaying a maximum of 2 articles of information.

F. For uses in the BMP, I, AI and AIR Zones within an industrial complex: One maximum 50 square foot, 8 foot high on-premises monument sign displaying a maximum of 2 articles of information. For each additional 300 feet beyond the first 300 feet of street frontage, one

additional monument sign shall be allowed, up to a maximum of 3 signs, each displaying a maximum of 2 articles of information.

19.620.090 Residential Signs

- A. In any residential zone, except the RA-5 Zone, the following regulations shall apply, where applicable:
1. **One- and Two-Family Dwellings.** One building mounted or freestanding on-premises sign for each separate dwelling unit, not exceeding 6 square feet in area, is permitted. On parcels with more than 1 such dwelling, on-premise signs shall not be combined. Such sign may not be used for the display of commercial messages other than real estate signs.
 2. **Planned Residential Developments, Multiple-Family Dwellings and Mobile Home Parks.** For planned residential developments, multiple-family dwellings and mobile home parks, 1 on-premises building or monument sign, not exceeding 25 square feet in area per display face, is permitted for each public street frontage. Monument signs may not exceed 6 feet in overall height. In lieu of a freestanding sign, 2 single-sided, wall mounted-signs not exceeding 25 square feet per display face is permitted for each public street frontage when located at a project entry point.
 3. **Individual Units in Multiple Unit Developments.** Subject to the property owners consent in all multiple unit developments, individual residential units may display window signs not exceeding 15% of the total surface area of all windows facing public view.
- B. RA-5 Zone. In the RA-5 Zone, 1 unlighted on-premises monument sign not exceeding 12 square feet in area and 6 feet in overall height, is permitted.

19.620.100 Directional Signs

On properties containing public parking areas in any zone, monument directional signs, not exceeding 6 square feet in area per display face and 4 feet in overall height, shall be permitted at each public entrance to or exit from the public parking area. Building mounted directional signs shall also be allowed as necessary to direct persons to specific functions of a business with separate exterior entrances. Such signs shall not exceed 6 square feet in area and shall be situated directly above or to the side of the entrance being identified.

19.620.110 Drive-Through Restaurant Menu Boards

In addition to permitted commercial building and monument signs, drive-through restaurants shall also be entitled to up to 2, 8 foot, high menu ordering signs with a total combined square footage of up to 40 square feet. Where 2 or more drive-thru lanes are approved, up to 3, 8 foot, high menu ordering signs with a total combined square footage of up to 60 square feet, shall be permitted.

19.620.120 Flags

Flags may be displayed without a permit at all times and in all zones. All poles must comply with applicable Building Code requirements. Flags are limited to the display of non-commercial speech. Flag display is subject to:

- A. Complexes of Commercial, Office and Industrial Uses. Each complex of commercial, office or industrial uses, consisting of 3 or more uses on a single parcel or contiguous parcels with common off-street parking and access, may display not more than 3 maximum 60 square foot flags on not more than 3 maximum 35 foot high poles. If separate poles are used, the distance from one pole to another may not exceed 20 feet. Any illumination shall be oriented and shielded not to glare into adjacent properties.
- B. Residential Subdivisions and Condominiums. Each residential subdivision or condominium with new, previously unoccupied dwelling units for sale may display one flag, maximum 25 square foot on a 20 foot high pole, per model home in a model home complex. Such poles must be situated not closer than 10 feet from the public right-of-way and within 20 feet of the model complex or sales office. If separate poles are used, the distance from one pole to another may not exceed 10 feet. A residential subdivision or condominium is considered to be all lots under a parent tract number including all phases.
- C. Apartments and Mobile Homes. Complexes of 4 or more apartments or mobile homes sharing common private access and/or parking may display not more than 3 maximum 25 square foot flags on not more than 3 maximum 20 foot high poles. If separate poles are used, the distance from one to another may not exceed 10 feet.
- D. All Other Nonresidential Uses. Each occupied parcel containing a nonresidential use, other than described in 19.620.120 A, may display not more than 3 maximum 60 square foot flags on not more than 3 maximum 35 foot high poles. If separate poles are used, the distance from one pole to another may not exceed 10 feet.
- E. All Other Residential Uses. Each occupied parcel containing a residential use, other than described in paragraphs 19.620.120 B and C, may display 1 maximum 25 square foot flag on 1 maximum 20 foot high pole.

19.620.130 Hazard Signs

- A. Permitted in all zones. Warning signs shall be allowed as necessary to warn of hazards pertaining to the property; provided, however, that such signs are placed at least 75 feet apart from each other and that such signs do not exceed 1 square foot each in size and 6 feet in overall height.

19.620.140 Historic Signs

- A. Purpose. The purpose of the following sign regulations is to further the City's historic preservation efforts and the provisions of this Historic Signs Section may be used in lieu of other sign regulations as specified in this Section. These regulations are intended to allow

the construction and installation of signs that, while not in compliance with sign regulations elsewhere in this Chapter, would be in character with the building or district on/in which it is proposed to be located. It is, however, not the intent of these regulations to require all signs on a designated historic building to be exact replicas of the signs that would have been on the building when it was new. This Section shall apply only to businesses with ground-floor frontage and access. All decisions regarding appropriate sign types and applications shall be made by the Zoning Administrator in accordance with Title 20 of the Municipal Code. Any appeal of the Zoning Administrator's decision shall be in accordance with Title 20 of the Municipal Code.

1. **Signs for Designated Historic Resources (Structures of Merit or Landmarks) and Contributors to Designated Historic Districts:**

- a. **Projecting Signs, Vehicle Oriented.** In lieu of a permitted building sign, a double faced projecting sign may be installed, provided such sign does not exceed the size allowance for the building sign it replaces, such sign does not project more than 48 inches from the building face, and the sign is located more than 10 feet above sidewalk grade.
- b. **Projecting Signs, Pedestrian Oriented.** In lieu of a permitted under canopy sign, a maximum 4 square foot projecting sign may be installed. Such sign shall project no more than 30 inches from the building face and shall be no less than 8 feet nor more than 10 feet above sidewalk grade.
- c. **Roof Signs.** In lieu of permitted freestanding signs or Vehicle Oriented Projecting Signs, as allowed by 19.620.140 A 1 a. Where documented evidence can be established for the presence of a roof sign within the period of significance of a building that is a designated Structure of Merit or Landmark or a building that is a contributor to a designated historic district, such roof sign may be replicated in its original historic size, shape, like-appearing materials, and placement to identify a current use in the building.

B. Design Review. Any sign governed by this Section shall be:

1. Designed to have the appearance of a historic sign appropriate to the building and/or period of significance of the Historic District.
2. In compliance with current structural and electrical regulations.
3. Subject to administrative review and approval per the standards, criteria, and procedures of Title 20 of the Municipal Code.

C. Sign Lighting. Lighting shall be in accordance with historically appropriate lighting types. This includes neon, individual incandescent bulbs, and overhead goose-neck lighting, subject to compliance with current electrical codes.

- D. Encroachments into the Public Right-of-Way. Any sign that would encroach into the public right-of-way shall first obtain an encroachment permit from the Public Works Department.

19.620.150 Hospitals

- A. Monument Sign. One on-premises monument sign for each street frontage, maximum 50 square feet in area and 6 feet in overall height.
- B. Building Signs. Building signs shall be allowed per Section 19.620.070.
- C. Directional Signs. Directional signs shall be allowed per Section 19.620.110.

19.620.160 Murals

For the purposes of this Chapter, murals are considered public art, not signs. The intent of this Section is to establish a standard for murals, that comply with the definition found in Article X (Definitions). Design Review approval is required.

- A. Design review approval for murals shall be subject to the following standards:
1. A mural shall be integrated into the design of the structure on which it is to be placed, with logical borders and orientation.
 2. A mural shall use colors and a design complementary to the colors and design of the structure on which it is to be placed.
 3. A mural shall not obscure or detract from the architecture of the structure on which it is to be placed.
 4. No commercial image, logo or trademark may be mounted on the same visual plane as the mural.
- B. No building permit is required when the mural is painted onto an existing building surface. Construction of new backgrounds or building surfaces for the mural is subject to approval of the Planning and Building and Safety Division and may require building permits.

19.620.170 Non-conforming Uses

Any commercial, industrial or office use that is legal nonconforming, under Chapter 19.080 (Nonconforming Provisions) of this Code, may display 1 building sign for each building wall facing a parking lot, mall, street or alley, subject to: maximum area: 1 square foot of sign per front foot of wall on which the sign is to be situated, up to a maximum of 25 square feet per sign.

19.620.180 O Zone, Assemblies of People – Non-Entertainment, Public Facilities, Schools and All Other Non-Commercial/Non-Residential Uses

- A. Applicable to freestanding uses only in the O Zone and the listed uses in all zones:

1. Any freestanding sign that is oriented so as to be visible from an adjacent freeway is subject to the granting of a Minor Conditional Use Permit by the Planning Commission.
2. **Monument Sign.** For sites less than 1 acre in size, 1 on-premises monument sign, maximum 15 square feet in area and 6 feet in overall height, displaying a maximum of 2 articles of information. For sites greater than 1 acre in size, 1 on-premises monument sign, maximum 25 square feet in area and 6 feet in overall height, displaying a maximum of 2 articles of information.
3. **Building Signs.** One on-premises building sign for each street frontage, with a maximum of 1 square foot of sign area per lineal foot of building frontage, but not to exceed 24 square feet of total sign area.
4. **Window Signs.** One on-premises window sign for each public entrance, not exceeding 9 square feet per sign.
5. **Under Canopy Signs.** One maximum 4 square foot on-premises under canopy sign, per frontage.
6. **Directional Signs.** Directional signs shall be allowed per Section 19.620.110.
7. **Readerboard Signs.** Readerboard signs for shall be governed by Section 19.620.210.
8. Where these uses are located within Commercial, Office or Industrial Centers, signs shall be allowed per Sections 19.620.070 and 19.620.080.

19.620.190 Parking Lots and Garages

- A. Where Rates are Charged. On-premises building or monument signs including information identifying the lot/garage or operator and referring to the availability of and charges for parking spaces in the parking lot/garage, not exceeding 25 square feet in area per display face, are permitted; provided that there shall be not more than 1 such sign on each lot frontage on a public street or public alley. Monument signs shall not exceed 6 feet in overall height.
- B. Where Rates are Not Charged. Directional signs are allowed in accordance with Section 19.620.110.

19.620.200 Readerboard Signs

- A. Theaters. Theaters offering live performances or motion pictures and having permanent seating for at least 100 persons may, in lieu of on-premises building sign, display 1 readerboard sign using either manually or electronically changeable copy, maximum 1½

square feet of signage for each front foot of building frontage; not to exceed 100 square feet of signage per frontage;

- B. Elementary, Middle and High Schools. Elementary, middle and high schools shall be permitted 1 freestanding or building mounted combination readerboard on-premises sign per use as described below:
1. **Sites Less Than Fifteen Acres.** One maximum 40 square foot, 6 foot high static or readerboard on-premises, monument sign or 40 square foot static or readerboard building sign. Manually changeable or electronic readerboard copy is permitted.
 2. **Sites Fifteen Acres or More.** One maximum 65 square foot, 15 foot high static or readerboard on-premises pole sign or 65 square foot static or readerboard building sign. Manually changeable or electronic readerboard copy is permitted.
- C. Public Entertainment Venue. Public entertainment venues shall be permitted 1 freestanding or building mounted combination readerboard on-premises sign per use, selected from the following options:
1. **Sites Less than Fifteen Acres.** One maximum 40 square foot, 6 foot high combination readerboard on-premises monument sign using either manually or electronically changeable copy, or 1 building mounted sign shall be permitted, located on the frontage occupied by the use, maximum 1½ square feet of sign for each front foot of the occupancy frontage, not to exceed 100 square feet. A readerboard sign shall be in lieu of a permitted freestanding or building mounted on-premises sign. The message shall consist of static copy changed no more frequently than twice each twenty four hours. A readerboard sign shall be in lieu of a permitted freestanding or building mounted on-premises sign.
 2. **Sites Fifteen or More Acres.** One maximum 65 square foot, 15 foot high combination readerboard on premises pole sign using either manually or electronically changeable copy, or 1 building mounted sign shall be permitted, located on the frontage occupied by the use, maximum 1½ square feet of sign for each front foot of the occupancy frontage, not to exceed 100 square feet. A readerboard sign shall be in lieu of a permitted freestanding or building mounted on-premises sign. The message shall consist of static copy changed no more frequently than twice each twenty four hours. A readerboard sign shall be in lieu of a permitted freestanding or building mounted on-premises sign.
- D. Amusement Parks over 24 Acres Within One Hundred Feet of a Freeway. In lieu of the freestanding sign allowed above, 1 maximum 750 square foot, 66 foot high combination readerboard-on-premises pole sign oriented toward the adjacent freeway. Readerboard copy may consist of either manually or electronically changeable copy. All readerboard copy shall consist of letters no more than 30 inches high. Messages shall consist of static copy changed no more frequently than twice each twenty four hours. The readerboard portion of the sign shall not exceed the lesser of 218 square feet or 75% of the overall sign size.

Lighted messages shall be limited to incandescent white bulbs. The sign shall comply with all applicable CALTRANS standards for signs adjacent to freeways.

19.620.210 Real Estate Signs

A. For Real Estate Offered for Sale, Rent or Lease (Not Including Transient Occupancy). Subject to the regulations and conditions stated in this subsection, the signs described in this subsection may be displayed without permits. The signs allowed under this subsection shall be removed not more than 5 days after the proposed transaction has closed, or the property is withdrawn from the market.

1. **Residential Properties.** On all properties with a residential principal use, 1 temporary freestanding unlighted maximum 4 square foot real estate sign may be displayed per street frontage not to exceed 6 feet in overall height. Such signs shall be removed within 5 days following the closing of the proposed transaction, or the withdrawal of the offer or solicitation.

2. **All Non-residential Properties.** On non-residential properties, and properties containing both legal residential and non-residential uses, real estate signs may be displayed, using either of the following options:

a. **Freestanding signs.** One maximum 24 square foot, 8 foot high, double-faced, freestanding for sale, rental or lease sign per street frontage is permitted. On sites having more than 1 frontage or on interior lots at least 2½ acres in size, an option of placing the sign faces at a 45-degree angle to each other is permitted. Signs shall be located no closer than 2 feet from public sidewalks and 12 feet from the curbline or from the pavement where curbs are lacking. In no case shall signs be placed in the public right-of-way. In the event a building sign is installed as permitted in paragraph 19.620.210 A 2 b of this Section, the freestanding sign herein described shall not be permitted.

b. **Building Signs.** In lieu of a permitted freestanding sign, 1 for sale, rental or lease building sign per frontage, a maximum 24 square feet in area shall be permitted for buildings or occupancies within 63 feet from the curbline or from the pavement where curbs are lacking. In the event a freestanding sign or signs are installed as permitted in paragraph 19.620.210 A 2 a of this Section, the building sign herein described shall not be permitted.

B. Time Limit. Such signs shall be removed within 5 days following close of escrow or finalization of sale, rental or lease.

19.620.220 Service Station Signs

The regulations stated in this Section apply to the stated land uses, regardless of zone.

- A. **Vehicle Fuel Station Signs.** Vehicle fuel stations, whether situated on an independent parcel, or incorporated as part of a commercial, industrial or office complex, shall have independent freestanding sign rights and are not restricted by the number of signs serving uses not related to the vehicle fuel station.
1. **Freestanding Signs.**
 - a. **On-site/Price Monument Sign.** For each vehicle fuel station, 1 monument sign, maximum 50 square feet in size and maximum 6 feet in overall height shall be permitted. The price portion of the sign may not exceed 30 square feet and must include all price advertising as required by State law.
 - b. **On-site Pole Sign - Freeway Adjacent Locations.** For vehicle fuel stations located contiguous to a freeway, where a freeway exit serves the street from which the station takes direct access, in addition to the on-premises/price monument sign allowed in the preceding paragraph, 1 on-premise pole sign, maximum 100 square feet in size and 45 feet in overall height, situated so as to be directed toward and permanently viewable from the freeway, shall be permitted subject to the granting of a Conditional Use Permit.
 - c. **Secondary Price Sign.** In addition to the on-premises/price monument sign allowed by paragraph 19.620.220 A 1 a of this Section, each station may display a maximum of 1 non-lighted, double-faced changeable copy price sign, maximum 15 square feet in display area and 6 feet in overall height. However, no permit for such a price sign shall be issued, however, until the City receives a written communication from the State Department of Agriculture Division of Weights and Measures stating that a secondary price sign is necessary in order to meet the fuel identification requirements.
 2. **Building and Gas Canopy Signs.** Building and gas canopy signs shall be limited to 2 on-premises signs totaling no more than 30 square feet in combined display area. For stations with multiple uses, one additional building sign and 10 additional square feet of combined sign area shall be allowed for each use, with a maximum of 5 signs with a combined sign area limit of 60 square feet.
 3. **Pump Island Signs.** Each station may display 2 pump island signs per pump island to distinguish self-serve from full-serve pump islands. Such signs must be permanently affixed to the pump island they identify. Each sign may not exceed 4 square feet in overall size.
 4. **Window Signs.** One window sign for each public entrance, not exceeding 9 square feet per sign.

19.620.230 Temporary Signs

- A. All paper signs, banners, balloons, streamers, placards, pennants or portable signs that direct, promote, attract, service or that are otherwise designed to attract attention are prohibited, except that the following temporary signs shall be permitted in all non-residential zones:
1. **Grand Opening Banners.** One banner not exceeding 60 square feet shall be permitted for a period not exceeding 30 consecutive days for newly opened or reopened businesses at the site where the banner is to be displayed. The banner shall be stretched and secured flat against the building surface and shall not extend higher than the building eave or the building parapet wall.
 2. **Temporary Event Signs.** Temporary event or activity signs not exceeding 15% of the total window area, or 40 square feet, whichever area is less, may be displayed in the window area, except for the area between 4 feet and 8 feet above the floor level, which shall be kept free of any signs as a clear zone for security. There shall be no time limit on the display of these signs. Such signs may be painted in water soluble paints or constructed of paper, wood, fabric, plastic or similar materials. All paper signs must be mechanically printed. Hand-lettered signs are not permitted. There is no limit on the number of colors that can be used in these signs, however, fluorescent colors, as defined in Article X (Definitions), are prohibited.
 3. **Construction Signs.** In all zones, unlighted freestanding or wall signs are allowed. All such signs shall be displayed only on the lot or parcel on which the construction is occurring and only during the construction period. Such signs and support structures and fasteners shall be totally removed prior to release for occupancy. Signs shall not exceed 32 square feet in area.
 4. **Subdivision Signs.** In all zones, a maximum of 3 unlighted double-faced temporary subdivision signs, not exceeding 40 square feet in area per display face and 15 feet in overall height, may be erected and maintained with a subdivision during sale of the lots. Such signs shall be located within the subdivision and shall be a minimum distance of 300 feet apart from each other. All signs shall be removed at the close of escrow of the model complex houses.
 5. **Non-commercial Message Signs on Residential Uses.** On residential uses, non-illuminated temporary signs, maximum 4 feet in height, totaling no more than 6 square feet in area; temporary signs displaying non-commercial messages may be displayed at any time. However, during the period of time beginning 60 days before a general, special, primary or runoff election, and ending 15 days after such election, the amount of display area may be doubled. Flags do not count toward the signage allowed under this provision.

19.620.240 Prohibited Signs and Sign Elements

Unless otherwise permitted by a specific provision of this Chapter, the following sign types are prohibited in all zones:

- A. Moving Image Signs. Signs which blink, flash, shimmer, glitter, rotate, oscillate or move, or which give the appearance of blinking, flashing, shimmering, glittering, rotating, oscillating or moving.
- B. Permanent Signs Displaying Off-Site Commercial Messages. Permanent structure signs displaying commercial messages (billboards) are prohibited in all zones.
- C. Portable Signs. Unless expressly allowed by another provision of this Chapter, portable signs are prohibited in all zones.
- D. Signs Interfering With Traffic Safety. Signs that create a safety hazard by obstructing clear view of pedestrian and vehicular traffic, whether by blocking the visibility triangle or otherwise, or which create confusion because by color, wording, or location resemble or conflict with any traffic control sign or device, are prohibited in all zones.
- E. Roof Signs. Roof signs are prohibited in all zones.
- F. Advertising Statuary. All forms of advertising statuary are prohibited in all zones.
- G. Bench Signs. All forms of bench signs or bus stop commercial advertising are prohibited in all zones.
- H. Fluorescent Colors. Prohibited colors are listed on the fluorescent color chart noted in Article X (Definitions) and as adopted by the Planning Commission under Zoning Code Amendment Case AM-008-945, and are a representation of a wider range of fluorescent shades. This color limitation does not apply to non-commercial messages on signs.
- I. Commercial Mascots. All commercial signs held, posted or attended by commercial mascots as defined in 19.620.320 are prohibited in all zones.

19.620.250 Permits

- A. Permits Generally Required. Unless a particular type of sign is specifically exempted from the permit requirement, by a provision of this Chapter or other applicable law, no person shall erect, change or replace any sign allowed by the provisions of this Chapter without first having obtained the necessary permits. A permit is required whenever there is a change to the lighting, supports, structure or mounting device of a sign. When design review and/or a Certificate of Appropriateness are applicable to a proposed sign, those approvals must be obtained before a sign permit application may be processed.
- B. Zoning Administrator, Planning Commission or Cultural Heritage Board Approval. In reviewing signs for design review approval or a Certificate of Appropriateness, the Zoning Administrator, Planning Commission and the Cultural Heritage Board may base their decisions upon the standards contained in this Chapter and Title 20 respectively, as applied only to the structural and locational aspects of the signs.

- C. Signs Exempt from Permitting. In addition to specific provisions elsewhere in this Chapter that exempt certain signs from a permit requirement, the following signs do not require a permit: signs of public service and utility companies indicating danger and aids to service and public safety; signs less than 4 square feet in area indicating the hours of operation of an establishment and whether such establishment is presently open to the public; signs not visible to the public from any portion of the public right of way; railroad crossing signs; traffic or municipal signs posted by governmental agencies; legal notices posted pursuant to law or court order; changes to the copy of approved readerboards and directory signs.
- D. Sign Permit Process. The application for a sign permit shall be made in writing on a form provided by the Zoning Administrator and shall be accompanied by any fee established by City Council resolution. The Zoning Administrator shall create a standard form to be used as an application for a sign permit; when approved, the application shall constitute the permit. A single application may be used for multiple signs proposed for the same lot, parcel or use; however, decisions and conditions may pertain to individual signs. Such application may call for any of the following information:
1. The street address, assessor's parcel number, and name and contact information for the legal owner of record of the property;
 2. Proof of the consent of the property owner or other person in control or possession of the property. For example, if the subject property is leased and the applicant is the lessee, the lessee must demonstrate that the sign complies with all provisions of the lease related to signage, or submit a written landlord's consent;
 3. If the property is subject to a Conditional Use Permit, either a copy of such permit or the number of such;
 4. Any pending zoning or code enforcement matters concerning the property or an establishment thereon;
 5. Whether the parcel or use is the subject of any outstanding orders for removal, repair, or other corrective action regarding any sign;
 6. A drawing to scale showing the design of the sign, including dimensions, sign size, colors, graphic design, message content (applies to commercial message signs only), materials, method of attachment, source of illumination and the relationship to any building or structure to which the sign is proposed to be attached or mounted;
 7. A site plan, including all dimensions, drawn to scale, indicating the location of the sign relative to property lines, rights-of-way, streets, sidewalks, vehicular access points and existing buildings or structures and off-street parking areas located on the premises;
 8. The number, size, type and location of all existing signs on the same building, site or premises; however, temporary signs need not be shown;

9. Any structural information and plans necessary to ensure compliance with building and safety codes;
 10. If the sign is to be constructed and/or installed by a professional sign company or contractor, such contractor's name and contact information, along with licensing and bonding information, and the estimated time for construction and installation of the sign, following all necessary permits and approvals;
 11. Information regarding interruptions to normal traffic or pedestrian traffic which may be caused by the construction;
 12. Whether the sign or any portion thereof will encroach into or over the public right of way or any property owned by the City;
 13. Whether the sign is proposed to be located in a historic preservation district or on a building or structure designated for historic preservation; and
 14. Information showing compliance with any applicable sign plan, sign program, or redevelopment plan.
 15. Whether the sign will be used for off-site commercial advertising.
- E. Conditions of Approval: A sign permit application may be approved subject to any of the following conditions, as applicable:
1. Compliance with other legal requirements, including encroachment, building, electrical, plumbing, demolition, mechanical, etc. When such other approvals are necessary, they must be obtained before the sign permit application will be granted.
 2. Remedy for outstanding zoning violations: if the sign is proposed to be located on a property on which there is a zoning violation, then the sign permit may be issued upon condition that the violation is remedied before the sign is constructed, or simultaneously therewith.
- F. Processing of Permit Applications. All sign permits applications shall be initially reviewed as administrative matters by the Zoning Administrator. When a permit application complies with this Chapter and all other application laws, the application shall be granted. An application may be approved subject to such conditions as are necessary for full compliance with this Chapter and all other applicable laws, rules and regulations.
1. **Reference to Cultural Heritage Board.** When a given sign is proposed to be located in a historic district or on a property designated for historic preservation, the permit application shall be referred to the Cultural Heritage Board for review. In considering the matter, the Cultural Heritage Board may not approve any sign for the display of off-site commercial messages, and may not consider the message content of any non-commercial message. As to on-site commercial messages, the Board may not consider the message itself, but may consider whether the manner of presentation

is visually consistent with the historical time and theme of the location. Whether the sign is proposed to be used for on-site commercial or noncommercial messages, the Board may consider the architectural and structural aspects for consistency and harmony with the historical theme and time of the proposed location. Unless time is waived by the applicant, the Board shall hold a public hearing and decide the issue within **45 business days** of when the matter is first referred to them.

2. **Notice of Incompleteness.** The Zoning Administrator shall initially review a sign permit application for completeness. If the application is not complete, the Zoning Administrator shall give written notice of the deficiencies within 15 business days following submission of the application; if no notice of incompleteness is given within such time, then the application shall be deemed complete as of the last day on which notice of completeness could have been given. If a notice of incompleteness is given, the applicant shall have 15 business days thereafter to file a corrected and complete application, without payment of additional fee.
 3. **Time for Decision.** Unless time is waived by the applicant, the Zoning Administrator shall issue a written decision on a sign permit application within 45 business days of when the application is deemed complete. Failure to issue such a decision in a timely manner shall be deemed a denial of the application, and create an immediate right of appeal to the Planning Commission. In cases where the Zoning Administrator refers the permit application to the Cultural Heritage Board, then the time for the Zoning Administrator's decision shall be extended by the amount of time necessary for the Board to reach its decision.
- G. **Permits Issued in Error.** In the event that a sign permit is issued, and the issuance is found to be in error at any time before substantial physical work on actual construction has been accomplished, then the permit may be summarily revoked by the City simply by giving notice to the permittee; such notice shall specify the grounds for revocation. In such event, the applicant may reapply within 30 calendar days for a new permit, without paying a new application fee.
- H. **Fees for Signs Constructed Without a Permit.** Where work for which a permit is required by this Chapter is started or proceeded with prior to obtaining such permit, the following late permit fees shall apply. The permit fees shall be computed based upon the date on which application is made for a sign permit, design review approval or Certificate of Appropriateness, or a variance, whichever process is first necessary to obtain a sign permit:
1. When application is made within 30 days after first notice has been given of the violation, the permit fee shall be two times the established permit fee.
 2. When application is made between 31 and 45 days after first notice has been given of the violation, the permit fee shall be four times the established permit fee.
 3. When application is made over 45 days after first notice has been given of the violation, the permit fee shall be ten times the established permit fee.

4. After a sign permit, design review approval or Certificate of Appropriateness, or variance has been applied for, additional time limits may be established for the securing of permits and completion of any additional sign work that may be required. If such time limits are not adhered to, the amount of time by which the deadline(s) is(are) missed shall be added to the time periods noted above for the purpose of establishing the final permit fee.
5. In no case shall a late permit fee be assessed in excess of one thousand dollars.

19.620.260 Appeals

Any official decision or action on a sign-related matter may be appealed to the City Council, and then to judicial review. Any resident of the City, or any person owning or operating an establishment located within the City, or any person claiming ownership of the subject sign, may appeal any sign-related decision.

- A. Effecting an Appeal. An appeal is effected by filing a written notice of appeal with the Planning Division within 10 business days after the decision is announced, delivered, or posted. The notice of appeal shall identify the appellant, the decision appealed from, and the grounds for the appeal.
- B. Status Pending Appeal. While an appeal of a sign-related decision is pending, the status quo shall be maintained, unless the subject sign poses an immediate threat to the public health and safety by virtue of its physical condition and without regard to the message expressed thereon, in which case the sign may be summarily abated as necessary to protect the public health and safety.
- C. Consideration Factors on Appeal. On appeal of a sign-related decision, the appellate body shall not consider the message content of any non-commercial speech, and as to commercial speech, may consider only whether the message is on-site or off-site, and the rules contained in this Chapter concerning commercial message signs; the appellate body may consider whether the sign conforms to the provisions of this Chapter, other applicable law, and any applicable sign program or redevelopment plan, and other non-communicative aspects of the sign.
- D. Time for Appellate Decision. Following receipt by the Planning Division of an appeal of a sign-related decision, the matter shall be placed on the agenda for the next meeting of the appellate body for which the notice and agenda requirements may be met, but in no event more than 45 business days after the Planning Division receives notice of the appeal. Unless the appellant waives time, the appellate body shall hear and decide the appeal not later than 45 business days after the Planning Division receives the written notice of appeal. A decision by the appellate body shall be in writing and shall set forth findings, based on evidence presented at the public hearing, which supports the decision.
- E. Judicial Review. After exhaustion of all internal appeal procedures, an appellant may seek judicial review of any sign-related decision in any court of competent subject matter jurisdiction which also has personal jurisdiction over the City and its officers. An action

seeking such judicial review must be filed with the court and served on the City not more than 60 calendar days after the final decision is reached by the City's internal review procedures. Prompt judicial review is available by California Code of Civil Procedure section 1094.8.

19.620.270 Nonconforming Signs

- A. Previously Conforming. Any sign which fully complied with all applicable law at the time of its construction, and has continued, may be continued in use, but is subject to the standard procedures for abatement of nuisance if it is found to be unsafe because the structure creates an immediate hazard to persons or property.
- B. Maintenance. Reasonable repairs and alterations may be made to previously conforming signs, provided that there is no expansion of any nonconformity with current requirements.
- C. Repair. In the event any previously conforming sign is damaged, by any cause other than intentional vandalism, and repair of the damage would exceed fifty percent (50%) of the reproduction cost, according to appraisal thereof by competent appraisers, such sign may be restored, reconstructed, altered or repaired only to conform with the provisions of this Chapter.

19.620.280 Enforcement

The Zoning Administrator may enforce the provisions of this Chapter by appropriate permit decisions, orders and directives. Such decisions, orders and directives may include, but are not limited to, orders to get a permit or to comply with permit conditions, orders to remove, repair, upgrade, repaint, replace or relocate any sign. All such decision, orders and directives are subject to appeal as provided in this Chapter. Any failure to follow a valid order or directive issued by the Zoning Administrator shall be deemed a violation of this Chapter and may be remedied in the same manner as any violation of Title 19 (Zoning) of the Riverside City Municipal Code. Notice of all decisions, orders and directives shall be deemed given when mailed to the last known address of the responsible party or parties.

- A. Responsible Parties. Sign related rights, duties and responsibilities are joint and several as to the owner of the property, the owner of any business or other establishment located on the property, and the owner of the sign.
- B. Abandoned Signs. Any on-site commercial sign associated with a business that has ceased operations for 90 days may be deemed an abandoned sign, and may be ordered removed within 10 business days. The removal duty falls jointly and severally upon the party which used the sign as part of the business and the owner of the land on which the sign is mounted or displayed.
- C. Unremedied Violations as Public Nuisance. When the Zoning Administrator has given a notice of decision, order or directive regarding a sign or sign permit, and any noticed deficiency remains uncured thirty calendar days after the notice has been mailed, the City may enforce any violation and seek any remedy authorized by law, including but not limited

to those methods available for any violation of the City's zoning laws, general laws, state or federal law, whether by administrative proceedings, a criminal action, and/or a civil lawsuit for abatement of nuisance (which may include requests for declaratory and injunctive relief), or abatement or removal by the City at the cost of the responsible parties, reimbursement for which may be secured by a lien recorded against the property. In any civil court action the prevailing party shall be entitled to an award of costs and reasonable attorneys' fees.

- D. Removal by City: Public Hearing. In the event that the Zoning Administrator seeks a cure or remedy by removal of the subject sign by the City, then the responsible parties shall be given thirty calendar days notice of a public hearing before the City Council to determine if the subject sign is a public nuisance and if the City should remove it if the responsible parties fail to do so with 30 calendar days after the City Council decision, or any other corrective action the Council may consider. All responsible parties shall be given notice of such hearing by certified mail, prepaid postage, addressed to their last known address. At such hearing, all responsible parties shall be given an opportunity to be heard, to present evidence and argument, to challenge the Zoning Administrator's decision, and to be represented by counsel.
- E. Removal by City: Actual Removal, Redemption. If, following the public hearing, the Council authorizes removal of the subject sign by the City, said removal may take place at any time 15 or more calendar days following the hearing and decision. The City may remove the subject sign by its own force, or by a contracted agent. Any removed sign shall be stored by the City for at least 30 calendar days, during which time the City shall take all reasonable efforts to notify the sign owner that the sign is in the City's possession and may be redeemed by reimbursing the City for the cost of removal. If the sign owner fails to redeem the sign within 30 calendar days of the notice, then the City may dispose of the sign by any means it deems appropriate. If the sign is sold, then the net proceeds of such sale shall reduce the reimbursement owed to the City by the responsible parties.
- F. Remedy by City. In the event that a valid directive or order of the Zoning Administrator is not followed, and is not timely appealed, then the Zoning Administrator may give thirty calendar day written notice and opportunity to cure, to the responsible parties that the City shall take corrective action and assess the cost of doing so as a lien against the property, using such procedures as are required by state or local law. The Zoning Administrator may grant a reasonable extension of time, not to exceed 120 calendar days to effect the required correction, if the owner or occupant of the premises has made proper application for a new sign which would accomplish the same result.
- G. Removal - Scope. If the option of removing a sign or signs is exercised, whether by private parties or by the City, said sign(s) shall be completely removed, including all poles, structures, electrical equipment, cabinets and sign faces. Building walls, grounds or other items on which such signs have been placed shall be restored to good repair and appearance.

19.620.290 Sign Contractors

- A. Responsibility for Securing Permits. It shall be the duty of the contractor or person who erects, installs, paints, constructs or alters a sign to secure all necessary permits for such work. It shall be the responsibility of the property owner and/or lessee to assure that the contractor is properly licensed and bonded, and that the contractor secures all necessary permits. No sign contractor shall install a sign for which a permit is required unless such permit has been duly issued before construction work begins. A sign permit shall not be issued unless the sign contractor's name and contact information appears on the permit application.
- B. Identification Label. All signs installed by sign contractors have attached to them an identification label, not over 4 square inches in size, which lists the following information: installed by (contractor's name), City permit number, electrical current, month and year erected. Said label shall not exceed 4 square inches. Said label, and all other labels, shall be placed as directed by the Zoning Administrator.
- C. Violations by Sign Contractors. Wherever a sign violation has occurred, it shall be the duty of the zoning inspector to determine what sign contractor, if any, performed the sign work. The following procedure shall be followed in pursuing sign contractors installing signs for which a valid permit has not first been secured:
1. **First Violation.** A letter shall be sent by certified mail to the sign contractor setting forth the City's requirements for sign permits and indicating that future violations will result in a complaint being filed with the Contractors' State License Board and/or legal action being taken against said contractor.
 2. **Second Violation.** A complaint shall be filed with the Contractors' State License Board and a copy of such complaint shall be sent to the sign contractor with a letter indicating that legal action may be taken if further violations occur. All correspondence shall be by certified mail.
 3. **Third and Subsequent Violations.** Legal action may be taken against the contractor, using any method authorized by law.

19.620.300 Safety Regulations Generally

- A. Interference with Safety Passages. No sign or sign structure shall be erected in such a manner that any portion of its surface or supports will interfere in any way with the free use of any fire escape, exit or standpipe. No sign shall obstruct any window to such an extent that any light, ventilation or access is reduced to a point below that required by any law or ordinance.
- B. Proximity to Electrical Facilities. No sign or structure shall be erected in such a manner that any portion of its surface or supports shall be within 6 feet of overhead electric conductors which are energized in excess of seven hundred 50y volts, nor within 3 feet of conductors energized at 0 to 750 volts.

- C. Electrical Signs. Electrical signs shall bear the label of an approved testing laboratory. Said label shall not exceed 4 square inches. Said label shall be placed as directed by the Zoning Administrator. Electrical signs and appurtenant equipment shall be installed in accordance with the Electrical Code.
- D. Engineering Design and Materials. Signs shall be designed and constructed as building elements or structures in accordance with the provisions of the Building Code.
- E. Confusion with Traffic Signals. No sign shall be erected in such a manner as to interfere with, mislead or confuse traffic.
- F. Maintenance. All signs, together with all their supports, braces, guys and anchors, shall be kept in repair and in a proper state of preservation. The display surfaces of all signs shall be kept neatly painted or posted. The Zoning Administrator may order the removal of any sign that is not maintained in accordance with the provisions of this Chapter and all other applicable law.
- G. Inspections. It shall be the duty of every person who may erect any sign designated under this Chapter to afford ample means and accommodation for the purpose of inspection whenever, in the judgment of the Zoning Administrator or the Building Official, such inspection is necessary. The inspectors for the Public Utilities Department and the Fire Department of the City shall also have the right and authority to inspect any such signs during reasonable hours.
- H. Liability of Owners. This Chapter shall not be construed to relieve from or lessen the responsibility of any person owning, maintaining, operating, constructing or installing any sign or other device mentioned in this Chapter for damages to life or property caused by any defect therein.
- I. City Responsibility for Sign Compliance. Neither the City or any agent thereof be held as assuming any liability by reason of the inspection required by this Chapter. Nothing in this Chapter waives or diminishes any defenses the City may have in any action alleging that the City is responsible, in whole or in part, for damage, loss or injury caused by any sign. By enacting this Chapter the City does not waive its immunities under California statutory law, including but not limited to the governmental immunities.

Chapter 19.625***Private Party Signs on City-Owned Property and the Public Right-of-Way*****19.625.010 Scope**

This Division of the Chapter states the City's policies for the placement of signs by private parties, or other governmental units, on land or other property owned or controlled by the City.

19.625.020 Intent as to Public Forum

As it relates to the placing of signage on Public Property, the City declares its intent that all Public Property in the City shall not function as a designated public forum, unless some specific portion of Public Property is designated herein as a public forum of one particular type; in such case, the declaration as to public forum type shall apply strictly and only to the specified area and the specified time period, if any.

19.625.030 Private Party Signs Generally Banned

Except as expressly allowed by a provision of this Chapter, or another provision of law, private parties may not display or post signs on public property or in the public right of way.

19.625.040 Signs Which Are Exempt From the General Ban

The following signs are exempted from the general ban: Traffic control and traffic directional signs erected by a governmental unit; official notices required by law; signs placed by the City.

19.625.050 Temporary Political, Religious, Labor Protest and Other Noncommercial Signs in Traditional Public Forum Areas

In areas qualifying as traditional public forums, such as streets, parks and sidewalks, persons may display noncommercial message signs thereon, provided that their sign displayed on Public Property conforms to all of the following:

- A. The signs must be personally held by a person, or personally attended by one or more persons. "Personally attended" means that a person is physically present within 15 feet of the sign at all times.
- B. The maximum aggregate size of all signs held by a single person is 12 square feet.
- C. The maximum size of any one sign which is personally attended by 2 or more persons is 50 square feet.
- D. The displayed signs may not be inflatable or air-activated.

- E. In order to serve the City's interests in traffic flow and safety, persons displaying signs under this Section may not stand in any vehicular traffic lane when a roadway is open for use by vehicles and persons displaying signs on public sidewalks must give clearance for pedestrians to pass by.

19.625.060 Projection of Temporary Signs Over Public Rights-of-way

No temporary sign or banner shall extend over or into a street, alley, sidewalk or other public place except those signs placed by the City for the purpose of advertising civic events.

19.625.070 Pedestrian Mall Sidewalk Signs

This Section applies only in the pedestrian mall as defined in Article 10 (Definitions).

- A. One pedestrian mall sidewalk sign is allowed per ground floor lease space for food service businesses and museums subject to issuance of a sign permit and approval of the Zoning Administrator, including conformance with the following location and design criteria:
1. Persons may display a noncommercial message on an A frame or similar portable sign, on the public sidewalk within the pedestrian mall, subject to:
 - a. A person must be physically present within 15 feet of the sign at all times that it is on display;
 - b. A pedestrian mall sidewalk sign may not exceed 12 square-feet in overall area, nor a maximum height or width of 4 feet; and
 - c. A pedestrian mall sidewalk sign must be weighted so as not to be easily knocked down or blown over. Maintenance of the sign and any damage or injury caused by the sign is the responsibility of the business owner.
- B. Location Criteria:
1. A pedestrian mall sidewalk sign shall only be permitted as provided herein, within the limits of the downtown pedestrian mall as defined in Article 10 (Definitions).
 2. A pedestrian mall sidewalk sign shall be located in front of the business and extend no more than 10 feet into the public right-of-way, and not closer than 35 feet from the curb face of any cross-street open to vehicular traffic.
 3. A pedestrian mall sidewalk sign shall not be located in a landscape planter, permanent seating area, or any location which may create an impediment to pedestrian, disabled, or emergency access.

C. Design Criteria:

1. A pedestrian mall sidewalk sign may not exceed 12 square-feet in overall area, nor a maximum height or width of four feet. No more than 50% of the overall sign area may be used for changeable copy.
2. A pedestrian mall sidewalk sign must be constructed of quality materials, such as smooth particle board or medium density plywood, which are sturdy and designed for paint.
3. All visible surfaces of the sign shall be finished in a uniform or complimentary manner.
4. Lettering and graphics shall be of a professional quality. Borders, artistic enhancements, and graphics reflecting the nature of the related business are encouraged.
5. Balloons, banners, flags, lights, pinwheels, umbrellas, or other similar items, shall not be attached to, or made a part of, a pedestrian mall sidewalk sign.
6. The Zoning Administrator may refer the design of a pedestrian mall sidewalk sign to either the Cultural Heritage Board or the City Planning Commission for resolution of design related issues.
7. A pedestrian mall sidewalk sign must be weighted so as not to be easily knocked down or blown over. Maintenance of the sign and any damage or injury caused by the sign is the responsibility of the business owner.
8. A pedestrian mall sidewalk sign must be removed and placed indoors each day at the close of business.
9. A pedestrian mall sidewalk sign may not be displayed until the required sign permit, including proof of insurance, has been obtained. A pedestrian mall sidewalk sign permit is required to be renewed annually at the beginning of each calendar year.
10. Every permittee, at his/her sole cost and expense, and during the term of his/her permit or any renewal thereof, shall obtain and maintain liability insurance to the approval of the City's Risk Manager. Prior to the issuance of any permit, the applicant shall file and maintain with the Zoning Administrator a valid current policy or sufficient certificate evidencing the policy of liability insurance, covering use of the pedestrian mall sidewalk sign. The policy shall contain an endorsement naming the City as additional insured, shall provide that the City Risk Manager will be given thirty days written notice prior to cancellation or material change, and shall be in such minimum limits as set by resolution of the City Council.
11. Variances from the size, height, or maximum changeable copy requirements, may be granted in accordance with Chapter 19.720 (Variance).

12. Any decision of the Zoning Administrator, Cultural Heritage Board, or Planning Commission may be appealed to the City Council within 10 days of receipt of notice by permittee.

19.625.080 Riverside Plaza Sign (Limited Forum)

- A. Location and Purpose. Subject to the requirements of applicable State law, this Section authorizes a single, permanent, electronic message center sign on land owned by Riverside Public Utilities, namely APN 223150001. When constructed, such sign shall be a strictly limited forum which may be used only for commercial speech to provide freeway visibility and identification for Riverside Plaza and the establishments located therein.
- B. Physical Characteristics. Such sign shall be oriented so as to be visible primarily from State Route 91. Each display face shall not exceed 750 square feet. The maximum number of display faces shall be 2. The height shall not exceed 50 feet above the elevation of the freeway travel lane nearest to the sign location. However, the actual approved size and/or height of an electronic message center sign may be less than the maximum dimensions.
- C. Permanent Identification. For purposes of this section only, “onsite commercial” means messages related to the establishments located within the Riverside Plaza. To the extent the sign is used to display commercial messages, such messages may be only onsite commercial messages, images or logos, with a maximum of 4 lines of commercial copy per display face. No offsite commercial messages shall be displayed on the sign. The sign owner may determine any noncommercial messages to be displayed thereon.
- D. Property License or Lease. The sign shall be permitted only through an approved license agreement or lease between the Riverside Public Utilities and the sign owner.

19.625.090 Encroachment

Any sign projecting into the public right-of-way, or into public property, is subject to an encroachment permit.

19.625.100 Enforcement

Any sign posted on public property or the public right-of-way, in violation of the provisions of this Chapter, is declared to be a trespass and a public nuisance, may be summarily removed by the City without notice, and the persons or parties responsible for such unauthorized posting may be charged with the City’s actual costs of removal. In addition, any violation of this Chapter may be enforced or punished in any manner prescribed by law, including any method provided for enforcement of the Zoning Code and a criminal proceeding under the Penal Code.